

UNITED STATES DISTRICT COURT
for the

Southern District of Mississippi

United States of America
v.
Marcus Deshun Agee
a/k/a ABK-Spurt

Case No. 1:20 mj 579-RPM

ARTHUR JOHNSTON, CLERK

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 29, 2020 in the county of Harrison in the
Southern District of MS, Southern Division, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. § 922(g)(1)

Possession of a Firearm by a Convicted Felon.

This criminal complaint is based on these facts:


See affidavit attached hereto and incorporated herein

☒ Continued on the attached sheet.*Complainant's signature*

Adam Gibbons, Task Force Agent DEA

Printed name and title

Sworn to before me and signed in my presence.

Date: 9-30-2020*Judge's signature*City and state: Gulfport, MS

Robert P. Myers, Jr., United States Magistrate Judge

Printed name and title

Affidavit in support of a Criminal Complaint

Your Affiant, Adam Gibbons, being duly sworn, deposes and states the following:

I am a Task Force Agent with the United States Drug Enforcement Administration (DEA), Gulf Coast High Intensity Drug Trafficking Area Task Force (HIDTA). My parent agency is the Gulfport Police Department (GPD), where I hold the rank of Detective Sergeant in the Narcotics Division. The DEA Task Force in Gulfport, Mississippi, is made up of Special Agents from the DEA, Special Agents from Homeland Security Investigations (HSI), Agents from the Mississippi Bureau of Narcotics (MBN), and Detectives from the Police Departments of Biloxi, Harrison County, Jackson County, and Gulfport. I have been assigned to the DEA Task Force in Gulfport, Mississippi for over eight years. I have been employed by the Gulfport, Mississippi Police Department as a Police Officer since July, 2000. My primary duties at the DEA Task Force include the investigation of organized narcotics traffickers. I have participated in numerous narcotics investigations, during the course of which I have conducted or participated in physical and wire surveillances, including previous Title III investigations, undercover transactions, the introduction of undercover agents, the execution of search warrants, debriefing of informants, and reviews of taped conversations and drug records. I have also been the Affiant for multiple wire taps, search warrants, and arrest warrants. Through my training, education, and experience, I have become familiar with the manner in which illegal drugs are transported, stored, and distributed and the methods of payments for such drugs.

In addition to my narcotics training and experience, I have been through training conducted by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), and the United States Attorney's Office (USAO), which focused on illegal firearms and crime gun recovery. I have also been involved in with numerous investigations involving the illegal possession of firearms by prohibited persons, the possession and use of firearms by narcotics traffickers/gang members, the firearms which affect interstate commerce. Several of these investigations have included conspiratorial relationships between multiple defendants and generally involve a series or pattern of criminal activities or multiple criminal schemes.

1. This affidavit is based on information from law enforcement agents and sources and on my examination of various reports, evidence and records. This is being submitted for the limited purpose of establishing probable cause to support issuing a criminal complaint. It does not include all the facts that have been learned during the course of this investigation.

2. Based on personal knowledge and information I received from various law enforcement sources including the Gulfport Police Department, I am aware of the following facts:

3. On Tuesday September 29, 2020, the Gulfport, Mississippi Police Department's Violent Incident Prevention Enforcement and Response Unit (VIPER), attempted a traffic stop on a gold Mercedes driven by a known individual Marcus Deshun Agee a/k/a "ABK-Spurt" near Alabama Avenue at Martin Luther King Jr. Blvd., Gulfport, Mississippi. AGEe was the driver and the only occupant of the vehicle. AGEe refused to comply with police and ran on foot from the vehicle eluding capture. Police Detectives smelled marijuana coming from inside the car and conducted a probable cause and administrative search and located over 200 grams of marijuana packaged in multiple bags for sale, multiple items of drug paraphernalia, and a Glock 17, 9 mm handgun, Serial Number: BGTB051, which contained 14 rounds of ammunition.

4. Agent's learned that Agee is a convicted felon and was convicted of possession of a controlled substance and burglary on September 14, 2009, under Mississippi Criminal Cause No: B-2401-2009-246-591 and also convicted of possession with intent to distribute a controlled substance on March 9, 2015 , under Mississippi Criminal Cause No: B-2401-2014-534. Agee is currently on State Parole for the possession with intent to distribute illegal narcotics charge thus, a prohibited person from possessing any firearm.

5. Based upon my training and experience and consultation with Special Agents at ATF, I know that the above firearm was not manufactured in the state of Mississippi. Therefore, these firearm has moved in or affecting interstate commerce to be in Mississippi.

6. The amended Gun Control Act of 1968 (GCA), defines "firearm" to include- "...any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive... [and] ...the frame or receiver of any such weapon..." (See 18 U.S.C. 921(a)(3)). Pursuant to Title 18 U.S.C. 922(g)(1), it is unlawful for any person who has been convicted of a crime in any court punishable by imprisonment for more than one year to possess a firearm in or affecting interstate commerce.

7. Based upon the foregoing information, my training and experience, I submit this information supports probable cause to believe Marcus Deshun Agee a/k/a "ABK-Spurt" violated Title 18, United States Code, Section 922(g)(1), in that, on or about September 29, 2020 in the Southern District of Mississippi, the defendant, Marcus Deshun Agee a/k/a "ABK-Spurt, a prohibited person, knowingly possessed a firearm in and affecting interstate commerce.



Adam Gibbons
Task Force Agent, US Department of Justice
Drug Enforcement Administration

Sworn and subscribed before me this 30th day of September 2020.


United States Magistrate Judge